

**Commonwealth of Kentucky**  
**Division for Air Quality**  
***RESPONSE TO COMMENTS***

FINAL

Conditional Major Permit No. F-06-070

TYSON FOODS, INC.

ROBARDS, KY 40452

April 3, 2007

**ESMAIL HASSANPOUR, REVIEWER**

SOURCE ID #: 21-101-00120

SOURCE AI #: 45238

ACTIVITY ID #: APE20050001

**SOURCE DESCRIPTION:**

Tyson Foods Inc, applied to the Kentucky Division for Air Quality for a new source wide Conditional Major permit and installation of a new Rendering Crossflow Scrubber (EU 10B). The source submitted a renewal application for their operating permit (S-95-065) in 1999, but was advised to resubmit a source wide application to include all units not permitted previously. Tyson Foods, Inc. operates a poultry processing and feather protein processing facility in Robards, Kentucky. Tyson Foods, Inc. produces fresh chicken for human consumption and meat meal and feather meal as byproducts.

**PUBLIC AND U.S. EPA REVIEW:**

On February 9, 2007, the public notice on availability of the draft permit and supporting material for comments by persons affected by the plant was published in The Henderson Gleaner News in Robards, Kentucky.

Comment received:

Comments were received from Tyson Foods, Inc. on March 2, 2007. Attachment A to this document lists the comments received and the Division's response to each comment. Minor changes were made to the permit as a result of the comments received; however, in no case were any emissions standards, or any monitoring, recordkeeping or reporting requirements relaxed. The Statement of Basis has modified to reflect the opacity standard in the permit. The qualitative visual observation standards for applicable units except for the cross flow scrubbers have been deleted, since the meat cookers are closed units. Please see Attachment A for a detailed explanation of the changes made to the permit.

# ATTACHMENT A

## Response to Comments

Comments on Tyson Foods Inc. Conditional Major Air Quality Permit submitted by Rechelle Hollowaty, Senior Air permitting and compliance Engineer.

Comment 1: Please update the plant contact name from Mr. Todd Wright to Mr. Pedro Stiassni, who is now the Complex Environmental Manager.

*Division's response:* Comment acknowledged and change made.

Comment 2: On Page 3 of 33, Section B, Applicable Regulations, 4. Specific Monitoring Requirements, a) This section seems out of place considering this requirement is typically a fuel oil requirement and there is no fuel oil used for combustion on Robards's site.

*Division's response:* Comment acknowledged and requirements have been deleted.

Comment 3: Page 3 of 33, Section B, Applicable Regulations, 5. Specific Recordkeeping Requirements: "Records of natural gas burned shall be maintained on a monthly basis." Tyson wants to clarify that the records on the boilers are being kept per NSPS requirements but the fuel usage for each boiler is prorated based on the heat capacity of each unit to the whole facility and the monthly natural gas invoices. We would like to confirm concurrence of this action with the State of Kentucky.

*Division's response:* Comment acknowledged and facility source fuel usage has been added for clarity.

Comment 4: Page 4 & 5 of 33, Section B, Applicable Regulations, 5. Specific Recordkeeping Requirements: "Records of natural gas burned shall be maintained on a monthly basis." and Page 21 of 33, Section D - Source Emission Limitation and Testing Requirements, 4." The source has the potential to be a major source for Carbon Monoxide (CO) and Nitrogen Oxides (NOX) emissions. The facility has requested to be classified as a conditional major source with a federally enforceable limit not to exceed 90 tons per year on a consecutive twelve (12) month total. Additionally the source shall limit the natural gas usage rate to 2119 MMCF/yr for Carbon Monoxide (CO) and Nitrogen Oxides (NOX) emissions to be under 90 tons/yr. In order to be in compliance with the limit above the source shall monitor and record natural gas usage for all units on a monthly basis and consecutive twelve months rolling total." Tyson would like to confirm that the overall requirement is repeated and is specifically meant to require the natural gas usage to be kept on a monthly basis for the site and not for individual units which are not NSPS units. We see no reason, other than for the NSPS units, to keep monthly records on individual users in order to show compliance with the CO and NOx limitations.

*Division's response:* The Division confirms Tyson understands of the recordkeeping requirement for natural gas usage.

**CREDIBLE EVIDENCE:**

This permit contains provisions which require that specific test methods, monitoring or recordkeeping be used as a demonstration of compliance with permit limits. On February 24, 1997, the U.S. EPA promulgated revisions to the following federal regulations: 40 CFR Part 51, Sec. 51.212; 40 CFR Part 52, Sec. 52.12; 40 CFR Part 52, Sec. 52.30; 40 CFR Part 60, Sec. 60.11 and 40 CFR Part 61, Sec. 61.12, that allow the use of credible evidence to establish compliance with applicable requirements. At the issuance of this permit, Kentucky has only adopted the provisions of 40 CFR Part 60, Sec. 60.11 and 40 CFR Part 61, Sec. 61.12 into its air quality regulations.